

United States District Court**for the****Eastern District of Washington****Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Eliberto Rivera-Diaz

Case Number: 2:13CR02111-WFN-1

Address of Offender: Currently incarcerated at Taft Federal Correctional Institution in Taft, California

Name of Sentencing Judicial Officer: The Honorable Stanley A. Bastian, U.S. District Judge

Date of Original Sentence: April 7, 2014

Original Offense: Alien in the United States After Deportation, 8 U.S.C. § 1326

Original Sentence: Prison - 20 months;
TSR - 36 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: To be determined

Date Supervision Commenced: February 13, 2015

Defense Attorney: To be determined

Date Supervision Expires: February 12, 2018

PETITIONING THE COURT**To issue a warrant.**

The probation officer believes the offender has violated the following conditions of supervision:

Violation Number Nature of Noncompliance

1

Mandatory Condition # 2: The offender shall not commit another federal, state, or local crime.**Supporting Evidence:** On April 15, 2015, a complaint was filed with the United States District Court for the Southern District of California at San Diego, charging the offender with Deported Alien Found in the United States, in violation of 8 U.S.C. § 1326, cause number 3:15CR01258-AJB.

On May 14, 2015, an information was filed in the aforementioned court charging Mr. Rivera-Diaz with Removed Alien Found in the United States, in violation of 8 U.S.C. § 1326.

According to the complaint and information, on or about April 14, 2015, the offender along with two others were located 2½ miles east of Otay Mesa, California. Upon questioning, the offender admitted he is a citizen and national of Mexico and illegally present in the United States. A records check revealed the offender failed to obtain permission from the proper authorities to reenter the United States.

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On June 22, 2015, Mr. Rivera-Diaz was sentenced in the aforementioned court to 12 months imprisonment and no term of supervised release to follow. He is scheduled to complete his sentence on April 13, 2016.

- 2 **Special Condition # 14:** You are prohibited from returning to the United States without advance legal permission from the United States Attorney General or his designee. Should you reenter the United States, you are required to report to the probation office within 72 hours of reentry.

Supporting Evidence: The offender illegally reentered the United States without permission on or about April 14, 2015, as noted in violation 1. According to the United States Immigration and Customs Enforcement, the offender was deported to Mexico on February 17, 2015, at San Ysidro, California. He did not obtain permission to reenter the United States after being removed.

The United States Probation Office respectfully recommends the Court issue a warrant for the arrest of the offender to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 02/24/2016

s/Erica Helms

Erica Helms
U.S. Probation Officer

THE COURT ORDERS

- [XX] No Action
[] The Issuance of a Warrant
[] The Issuance of a Summons
[] Other



Signature of Judicial Officer

3/9/2016

Date